

**UNITED STATES DEPARTMENT OF THE INTERIOR
BUREAU OF RECLAMATION**

MID-PACIFIC REGION

**SOUTH-CENTRAL CALIFORNIA AREA OFFICE
FRESNO, CALIFORNIA**

DRAFT FINDING OF NO SIGNIFICANT IMPACT

**2008 APPROVAL OF ONE-YEAR TEMPORARY WARREN ACT CONTRACTS FOR
THE CONVEYANCE OF NON-CVP WATER IN THE DELTA-MENDOTA CANAL**

FONSI-07-108

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2008 APPROVAL OF ONE-YEAR TEMPORARY WARREN ACT CONTRACTS FOR THE
CONVEYANCE OF NON-CVP WATER IN THE DELTA-MENDOTA CANAL

In accordance with section 102(2)(c) of the National Environmental Policy Act (NEPA) of 1969, as amended, the South-Central California Area Office of the U.S. Bureau of Reclamation (Reclamation), has determined that the approval of one-year Warren Act Contracts is not a major federal action that would significantly affect the quality of the human environment and an environmental impact statement is not required. This Finding of No Significant Impact is supported by Reclamation's Draft Environmental Assessment (EA) Number EA-07-108, *2008 Approval of One-year Temporary Warren Act Contracts for the Conveyance of Non-CVP Water in the Delta-Mendota Canal*, and is hereby incorporated by reference.

BACKGROUND

Reclamation proposes to issue one-year temporary Warren Act Contracts to requesting Central Valley Project (CVP) contractors within the Delta Division and San Luis Unit for up to a combined total of 50,000 AF for the 2008 water year ending February 28, 2009 for the delivery of non-CVP water in the Delta-Mendota Canal (DMC). The source of non-CVP water to be delivered in the DMC would be from groundwater pumping by water districts within the Delta Division and San Luis Units. Conveyance of non-CVP water under a Warren Act Contract within Reclamation facilities would also be subject to available capacity as well as water quality standards. The district would pump groundwater from wells close to the DMC directly into the DMC. The amount of water pumped into the DMC would be measured. The district would then take out a like amount from turnouts on the DMC to be conveyed through their distribution systems for agricultural use to water users within the district. Reclamation is expecting another dry year in 2008. Water district members of the San Luis & Delta-Mendota Water Authority (SLMDWA) will need additional water to supplement their CVP water supply that will be reduced by the expected drought. As a result of the expected dry year, the 2008 water allocation for agricultural South of Delta contractors can be as low as 25 percent.

FINDINGS

CVP Facilities

The Proposed Action will allow efficient delivery of the districts' non-CVP water in a dry year when demand is high. No new facilities will be needed as a result of the Proposed Action. There will be no construction or modification to the DMC. The capacity of the facility will remain the same. The Proposed Action will not interfere with the normal operations of local fish and wildlife habitat. Furthermore, the Proposed Action will not interfere in the quantity or timing of diversions from the Sacramento-San Joaquin Bay Delta. CVP operations and facilities will not vary considerably. Therefore, there will be no significant impacts to CVP facilities.

Land Use

Under the proposed action, participating districts will receive a small supplemental supply to their CVP water supply. Since water supply allocations will be reduced to 50 percent, districts must find supplemental supplies in order to meet demand. Groundwater pump-ins from the district will help alleviate some of the effects of water shortage, but most likely additional water supplies will still be needed. This water will only be used for agricultural purposes on existing crops. No new lands will be cultivated with this water. Therefore, there will be no changes to land use.

Water Resources

Each district requesting a Warren Act Contract through this project will be required to submit a groundwater management plan. The total quantity of groundwater that can be pumped into the DMC under the Proposed Action is 50,000 acre-feet and that quantity is divided among the San Luis Unit contractors and the Delta Division contractors. However, each district will be limited to pumping a quantity below the “safe yield” as established in the groundwater management plan, in order to prevent groundwater overdraft and avoid adverse impacts. Safe yield is defined as the amount of groundwater that can be continuously withdrawn from a basin without adverse impact. The amount of water pumped into the DMC will be credited to that district. Meaning, the quantity of groundwater pumped into the DMC will be delivered back into the district and used for irrigation purposes throughout the originating district. Though some of the water used for irrigation will be used up by evapotranspiration and evaporation, some will also seep back into the ground. The Proposed Action is a way to get the groundwater into the district’s distribution system for the benefit of all water users within the district’s boundaries.

Additionally, water in each well must meet water quality standards prior to approval for conveyance, and the monitoring of groundwater quality will continue throughout the irrigation season. If a well to be used for pumping water into the DMC does not meet the water quality standards, the district will be denied the Warren Act Contract. If the well first meets the water quality standards, but then during subsequent testing fails to meet the water quality standards, the district will be required to discontinue pumping immediately. Reclamation staff will monitor salinity in the canal to identify degradation caused by the non-CVP water, and will work with the SLMDWA and districts to modify or restrict pumping to improve water quality.

Biological Resources

Most of the habitat types required by species protected by the Endangered Species Act do not occur in the project area. The proposed action will not involve the conversion of any land fallowed and untilled for three or more years. The proposed action also will not change the land use patterns of the cultivated or fallowed fields that do have some value to listed species or birds protected by the Migratory Bird Treaty Act. Due to capacity limitations and water quality restrictions in the DMC, there will be no effects on listed fish species. No critical habitat occurs within the area affected by the Proposed Action and so none of the primary constituent elements of any critical habitat will be

affected. Therefore, there will be no effects on threatened or endangered species or designated critical habitat.

Cultural Resources

The conveyance of non-CVP water will not harm any cultural resources. It will be conveyed in existing facilities to participating districts. No excavation or construction is required to convey the water and no untillied land will be cultivated with this water. Consequently, the undertaking is not a type of activity with the potential to affect cultural resources eligible to the National Register of Historic Places.

Indian Trust Assets

There are no tribes possessing legal property interests held in trust by the United States in the water involved with this action, nor is there such a property interest in the lands designated to receive the water proposed in this action. This action will have no adverse effect on Indian Trust Assets.

Socioeconomic Resources

Under the Proposed Action, participating districts will receive a small supplemental supply to their CVP water supply. Since water supply allocations will be reduced to 50 percent, districts must find supplemental supplies in order to meet demand of agriculture production. Groundwater pump-ins from the district will help meet demand and help avoid reduction in agriculture production as a result of the anticipated dry year, but most likely additional water supplies will still be needed in order to alleviate all of the effects of the water shortage.

Environmental Justice

Implementing the Proposed Action will not cause any harm to minority or disadvantaged populations within the project area. A Warren Act Contract will allow the water districts to use their non-CVP water for irrigation in their service area. The availability of this water will help maintain agricultural production and local employment since 2008 is expected to be a dry year.

Cumulative Impacts

Reclamation has made Warren Act Contracts available in previous years whether it was a dry year or not. Most likely, this year more districts will be requesting Warren Act Contracts since it is anticipated to be a dry year and groundwater is a potential supplement to the expected reduced CVP supply. This is a one-year action, and the cumulative amount the districts are limited to under this project is 50,000 AF. However, districts can request a Warren Act Contract separate from the project for up to 10,000 AF of non-CVP water, but this action would be analyzed in a separate environmental document. Additionally, in accordance with the Warren Act, Reclamation will continue to make these contracts available to requesting districts in future years, given that each district meets present and future requirements for Warren Act Contracts.

When combined with other activities within the range of potential impact and the physical study area, neither the No Action Alternative nor the Proposed Action Alternative will add incrementally to existing environmental trends in the region of the Proposed Action.

Approval will not have highly controversial or uncertain environmental effects or involve unique or unknown risks. Impacts associated with the proposed action are minor, short-term, localized and temporary in nature; therefore, there are no significant cumulative impacts associated with this project.